

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

REBECCA MARIE HERNANDEZ,

Defendant.

**4:21CR3009**

**ORDER**

Defendant Hernandez<sup>1</sup> has moved to continue the trial, (Filing No. 21), because the parties are currently engaged in plea discussions. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Hernandez' motion to continue, (Filing No. 21), is granted.
- 2) The trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on March 14, 2022, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and March 14, 2022, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately

---

<sup>1</sup> Co-defendant DeGroat has not yet appeared before the court. Meanwhile, Hernandez has been in plea negotiations with the government for the last two months. (Filing No. 19). The court will grant a 30-day continuance as requested, but no additional requests to continue the trial date will be granted absent a substantial showing of good cause, to include the arrest of Defendant DeGroat.

prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 15th day of February, 2022.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge